

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JANUARY 26, 2009**

AGENDA

9:30	Done	Presentations
10:00	Done	Presentation of Don Smith Award
10:00	Report Approved	Report on General Assembly Activities
10:15	Done	Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
10:15	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Approval of Traffic Calming Measures and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Dranesville and Hunter Mill Districts)
2	Approved	Extension of Review Periods for 2232 Review Applications (Braddock, Dranesville, Hunter Mill, Lee, Mount Vernon, and Providence Districts)
3	Approved	Additional Time to Commence Construction for Special Exception SE 01-L-020, Springfield East L.C. (Lee District)
4	Approved	Additional Time to Commence Construction for Special Exception SE 99-M-038, Leewood Investments and Associates, LLC, (Mason District)
5	Approved	Additional Time to Commence Construction for Special Exception Amendment SEA 84-D-086-5, The Langley School (Dranesville District)
6	Deferred	Additional Time to Commence Construction for Special Exception SE 2002-MA-019, Campbell & Ferrara Nurseries, Inc. (Mason District)
7	Approved	Streets into the Secondary System (Dranesville, Lee, Mason, and Springfield Districts)
8	Approved	Approval of Correction for the Spelling of an Existing Street Name: Avacado Court to Avocado Court (Sully District)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JANUARY 26, 2009**

**ADMINISTRATIVE
ITEMS**

(continued)

- | | | |
|----|-----------------|---|
| 9 | Approved | Authorization to Submit Grant Applications for Fiscal Year 2009
U.S. Department of Housing and Urban Development
Discretionary Funding Competitions and the Fiscal Year 2008
Family Unification Program |
| 10 | Approved | Authorization to Submit an Application on Behalf of the Fairfax
County Interagency Domestic Violence Work Group to the
Office of the Attorney General Safe in Our Communities:
Community Recognition for Promising Practices in Domestic
Violence Response Program and Board of Supervisors
Adoption of a Resolution Confirming the County's Application |

ACTION ITEMS

- | | | |
|---|-----------------|--|
| 1 | Approved | Approval of Resolutions to Abandon Part of the Right-of-Way
of Lorton Road (Mount Vernon District) |
| 2 | Approved | Renewal of the License Agreement Between Springfield United
Methodist Church and the Fairfax County Board of Supervisors
to Provide Commuter Parking Spaces (Lee District) |
| 3 | Approved | Adoption of a Resolution Confirming the Declaration of Local
Emergency (Presidential Inauguration) and Consenting to all
Actions Taken By the Director of Emergency Management and
County Staff |

**INFORMATION
ITEMS**

- | | | |
|-------|--------------|---|
| 1 | Noted | Annual Report on the Board's Four-Year Transportation
Program and Other Active Transportation Projects |
| 10:30 | Done | Matters Presented by Board Members |
| 11:20 | Done | Closed Session |

PUBLIC HEARINGS

- | | | |
|------|---|---|
| 3:00 | Adjourned to
2/23/2009 | Annual Meeting of the Fairfax County Solid Waste Authority |
| 3:30 | Public Hearing
deferred to 2/9/2009
at 3:30 p.m. | Public Hearing on PCA 78-S-063-06 (The Aerospace
Corporation) (Sully District) |

**FAIRFAX COUNTY
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**PUBLIC HEARINGS
(continued)**

3:30	Public Hearing deferred to 2/9/2009 at 3:30 p.m.	Public Hearing on SE 2008-SU-026 (The Aerospace Corporation) (Sully District)
4:00	Approved	Public Hearing on Proposed Comprehensive Plan Amendment S07-CW-5CP Regarding Revisions to the Comprehensive Plan to Update Information on Heritage Resources
5:00	Approved	Public Hearing on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Item 08-IV-9MV, Located South of Huntington Avenue, East of Biscayne Drive, North of Glendale Terrace, and West of Blaine Drive (Mount Vernon District)
5:00	Approved	Public Hearings on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Items 08-IV-10MV, 08-IV-11MV, 08-IV-12MV and 08-IV-13MV, Located on Richmond Highway in the Woodlawn Community Business Center (CBC) (Mount Vernon District)
5:00	Approved	Public Hearing on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Item 08-IV-8FS, Located North of Commerce Street, East of Brandon Avenue, West of Augusta Drive (Lee District)
5:00	Approved	Public Hearing on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Item 08-IV-11FS, Located on the North-side of Commerce Street, Between Old Keene Mill Road and Backlick Road (Lee District)



Fairfax County, Virginia

BOARD OF SUPERVISORS

AGENDA

Monday
January 26, 2009

9:30 a.m.

PRESENTATIONS

1. PROCLAMATION – To designate February 2009 as African American History Month in Fairfax County. Requested by Vice Chairman Bulova.
2. RESOLUTION – To recognize the 25th anniversary of the Slave Memorial at Mount Vernon and Black Women United for Action for organizing a series of outreach programs to educate the public about the sacrifices and contributions made by those who were enslaved Africans. Requested by Supervisor Hudgins.
3. PROCLAMATION – To designate January 2009 as Mentoring Month in Fairfax County. Requested by Vice Chairman Bulova.
4. CERTIFICATE – To recognize the Reston Hospital Center for its standard of nursing excellence and community service. Requested by Vice Chairman Bulova.
5. PROCLAMATION – To designate January 30, 2009, as Earned Income Tax Credit Awareness Day in Fairfax County. Requested by Supervisor Hudgins.

STAFF:

Merni Fitzgerald, Director, Office of Public Affairs
Bill Miller, Office of Public Affairs

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Board Agenda Item
January 26, 2009

10:00 a.m.

Presentation of Don Smith Award

ENCLOSED DOCUMENTS:

None.

PRESENTED BY:

Anita Baker, Chairperson, Employee Advisory Council

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Board Agenda Item
January 26, 2009

10:00 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:

None. Materials to be distributed to the Board of Supervisors on January 26, 2009

PRESENTED BY:

Supervisor Jeff McKay, Chairman, Board of Supervisor's Legislative Committee
Anthony H. Griffin, County Executive

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Board Agenda Item
January 26, 2009

10:00 a.m.

Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups

ENCLOSED DOCUMENTS:

Attachment: Appointments to be Heard January 26, 2009

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

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Board Agenda Item
January 26, 2009

10:00 a.m.

Items Presented by the County Executive

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Board Agenda Item
January 26, 2009

ADMINISTRATIVE - 1

Approval of Traffic Calming Measures and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Dranesville and Hunter Mill Districts)

ISSUE:

Board endorsement of a Traffic Calming plan and Watch for Children Signs as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends that the Board endorse traffic calming measures for Lemon Road (Attachment I) consisting of three speed humps (Dranesville District).

The County Executive further recommends approval of a resolution (Attachment II) for a “Watch for Children” sign on Bingham Terrace (Hunter Mill District).

In addition, the County Executive recommends that the Virginia Department of Transportation (VDOT) be requested to install the approved measures as soon as possible.

TIMING:

Board action is requested on January 26, 2009.

BACKGROUND:

As part of the Residential Traffic Administration Program (RTAP), roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners or civic association. Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, or traffic circles to reduce the speed of traffic on a residential street. Staff performed an engineering study documenting the attainment of qualifying criteria for Lemon Road. Subsequently, petitions were gathered from the community evidencing support for further study. A task force was formed in the community to develop a traffic calming plan to reduce the speed of traffic. Once a plan for the road was adopted and approved by staff and VDOT, the plan was submitted for approval to residents of the petition area in the community. On December 23, 2008, the Department of Transportation received written verification from the appropriate local supervisor confirming community support for the referenced traffic calming plan.

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The RTAP allows for installation of "Watch for Children" Signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care or community centers. In particular, Section 33.1-210.2 of the *Code of Virginia* provides that the Board may request, by resolution to the Commissioner of VDOT, signs alerting motorists that children may be at play nearby. VDOT reviews each request to ensure the proposed sign will be effectively located and will not be in conflict with any other traffic control devices. On December 16, 2008, the Department of Transportation received written verification from the appropriate local supervisor confirming community support for the referenced "Watch for Children" sign.

FISCAL IMPACT:

The estimated cost of \$10,500 for traffic calming measures is to be paid out of the VDOT secondary road construction budget.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Lemon Road

Attachment II: Board Resolution for "Watch for Children" Signs

STAFF:

Robert A. Stalzer, Deputy County Executive

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)

Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT

William P. Harrell, Transportation Planner, FCDOT

Steven K. Knudsen, Transportation Planner, FCDOT

ADMINISTRATIVE – 2

Extension of Review Periods for 2232 Review Applications (Braddock, Dranesville, Hunter Mill, Lee, Mount Vernon, and Providence Districts)

ISSUE:

Extension of the review periods for specific 2232 Review applications to ensure compliance with the review requirements of *Section 15.2-2232* of the *Code of Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board extend the review periods for the following applications: applications FS-V08-92 and FS-H08-114 to March 28, 2009; applications FS-D08-62, FS-P08-97, and FS-H08-98 to March 29, 2009; application FS-B08-99 to March 30, 2009; applications FS-L08-91 and FS-V08-120 to April 4, 2009; and applications FS-V08-121 and FS-P08-122 to April 6, 2009.

TIMING:

Board action is required on January 26, 2009, to extend the review periods of the applications noted above before their expirations.

BACKGROUND:

Subsection B of *Section 15.2-2232* of the *Code of Virginia* states: "Failure of the commission to act within sixty days of a submission, unless the time is extended by the governing body, shall be deemed approval." Subsection F states: "Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within ninety days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than sixty additional days."

The Board should extend the review periods for applications FS-D08-62, FS-L08-91, FS-V08-92, FS-P08-97, FS-H08-98, FS-B08-99, FS-H08-114, FS-V08-120, FS-V08-121, and FS-P08-122 listed below, which were accepted for review by the Department of Planning and Zoning between October 29, 2008, and November 7, 2008. These applications are for telecommunications facilities, and thus are subject to the State Code provision that the Board may extend the time required for the Planning Commission to act on these applications by no more than sixty additional days:

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FS-D08-62	Cricket Communications Antenna colocation on existing monopole I-495 / Dulles Airport Road interchange Dranesville District
FS-L08-91	Cricket Communications Antenna colocation on existing transmission tower 3701 Franconia Road Lee District
FS-V08-92	Cricket Communications Rooftop antennas 5903 Mount Eagle Drive Mount Vernon District
FS-P08-97	Cricket Communications Rooftop antennas 9302 Lee Highway Providence District
FS-H08-98	Cricket Communications Rooftop antennas 8661 Leesburg Pike Hunter Mill District
FS-B08-99	Cricket Communications Antenna colocation on existing transmission pole 8100 Braddock Road Braddock District
FS-H08-114	T-Mobile Northeast LLC Rooftop antennas 2310 Colts Neck Road Hunter Mill District
FS-V08-120	Cricket Communications Antenna colocation on existing transmission tower 8081 Pohick Road Mount Vernon District
FS-V08-121	Cricket Communications Antenna colocation on existing transmission pole 8905 Ox Road Mount Vernon District

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FS-P08-122 Cricket Communications
 Antenna colocation on existing transmission pole
 Herrell Court
 Providence District

The need for the full time of these extensions may not be necessary, and is not intended to set a date for final action.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive
James P. Zook, Director, Department of Planning and Zoning (DPZ)
David B. Marshall, Planning Division, DPZ
David S. Jillson, Planning Division, DPZ

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Board Agenda Item
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ADMINISTRATIVE - 3

Additional Time to Commence Construction for Special Exception SE 01-L-020, Springfield East L.C. (Lee District)

ISSUE:

Board consideration of additional time to commence construction for SE 01-L-020 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve twelve months of additional time for SE 01-L-020 to October 28, 2009.

TIMING:

Routine.

BACKGROUND:

Under Section 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time period specified by the Board of Supervisors, an approved special exception shall automatically expire without notice, unless additional time is approved by the Board. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On April 28, 2003, the Board of Supervisors approved Special Exception SE 01-L-020, subject to development conditions. This approval was concurrent with the Board's approval RZ 1998-LE-064, subject to proffers, and SEA 91-L-054-3 and SEA 91-L-053-4, both subject to development conditions. The special exception application was filed in the name of Springfield East L.C. to permit construction of a hotel, pursuant to Section 4-403 of the Fairfax County Zoning Ordinance, for the property located at Tax Map 90-2 ((1)) 56C pt. (formerly known as 58A pt., 58B pt., 59A pt.) (see the Locator Map in Attachment 1). SE 01-L-020 was approved with a condition that the use be established or construction be commenced and diligently prosecuted within 30 months of the approval date, unless the Board grants additional time. The development conditions for SE 01-L-020, SEA 91-L-054-3, and SEA 91-L-053-4 are contained in Attachment 2.

On November 21, 2005, the Board of Supervisors granted twenty-four months additional time to commence construction for SE 01-L-020 to October 28, 2007. On April 28, 2008,

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the Board of Supervisors granted twelve months additional time to commence construction to October 28, 2008. The Clerk's letters documenting the previous approvals of additional time are included in Attachment 3.

On October 27, 2008, the Department of Planning and Zoning received a letter dated October 24, 2008, from Lynne J. Strobel, agent for the applicant, requesting twelve months of additional time to commence construction. A copy of the letter is included as Attachment 4. Ms. Strobel states that the property was acquired by Boston Properties Limited Partnership in April, 2007, and the new owner required time to explore different development options to implement the approvals granted concurrently with the special exception. The owner has been in the process of evaluating different development options for the property. She states that the contemplated improvements to Ft. Belvoir and the Engineer Proving Grounds have resulted in additional consideration of the hotel use. In addition, the owner has submitted a Proffered Condition Amendment application (PCA 1998-LE-064) to amend the building configuration. The application is scheduled for a public hearing before the Planning Commission on March 11, 2009. The additional time is requested in order to retain flexibility for future development while the pending application is being processed.

Staff has reviewed SE 01-L-020 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance. Further, staff knows of no change in land use circumstances which affect the compliance of SE 01-L-020 with the special exception standards applicable to the use and which should cause the filing of a new special exception application and review through the public hearing process. Finally, the conditions associated with the Board's approval of SE 01-L-020 are still appropriate and remain in full force and effect. Staff recommends that twelve months of additional time be approved.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Locator Map

Attachment 2 – Letter dated September 11, 2003, to Robert A. Lawrence, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors; letter dated June 19, 2003, to Robert A. Lawrence, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors; letter dated June 19, 2003, to Robert A. Lawrence, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors; letter dated June 19, 2003, to Robert A. Lawrence, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors

Attachment 3 – Letter dated November 30, 2005, from Nancy Vehrs, Clerk to the Board of Supervisors; letter dated April 28, 2008, from Nancy Vehrs, Clerk to the Board of Supervisors

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Attachment 4--Letter dated October 24, 2008, from Lynne J. Strobel, agent for the applicant, requesting additional time to commence construction

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Regina C. Coyle, Director, Zoning Evaluation Division (ZED), DPZ

Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, ZED, DPZ

Fred Selden, Director, Planning Division, DPZ

Mary Ann Godfrey, Senior Staff Coordinator, ZED, DPZ

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ADMINISTRATIVE - 4

Additional Time to Commence Construction for Special Exception SE 99-M-038, Leewood Investments and Associates, LLC, (Mason District)

ISSUE:

Board consideration of additional time to commence construction for SE 99-M-038, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve twelve months additional time for SE 99-M-038 to October 30, 2009.

TIMING:

Routine.

BACKGROUND:

Under Section 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time period specified by the Board of Supervisors, an approved special exception shall automatically expire without notice, unless additional time is approved by the Board. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On April 30, 2001, the Board of Supervisors approved Rezoning RZ 1999-MA-051, subject to proffers, concurrent with Special Exception SE 99-M-038, subject to development conditions. Both applications were filed in the name of Leewood Investments and Associates, LLC to permit medical care facilities, which include a nursing home, assisted living, and adult day care, pursuant to Section 3-504 of the Fairfax County Zoning Ordinance, on the property located at Tax Map 71-3 ((8)) 9, 9A, and 10A (see the Locator Map in Attachment 1). The development conditions for SE 99-M-038 and the proffers for RZ 1999-MA-051 are included in Attachment 2.

The development conditions specified that the use be established or construction be commenced and diligently prosecuted within thirty months of the approval date, unless the Board granted additional time. On November 17, 2003, the Board of Supervisors approved eighteen months of additional time to commence construction for SE 99-M-038 until April 30, 2005. On May 23, 2005, the Board of Supervisors approved eighteen months of additional

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time to commence construction for SE 99-M-038 until October 30, 2006. On December 4, 2006, the Board approved twenty-four months additional time to commence construction for SE 99-M-038 until October 30, 2008. Copies of the Clerk to the Board's letters stating the Board's approval of additional time are contained in Attachment 3.

On October 14, 2008, the Department of Planning and Zoning (DPZ) received a letter dated October 8, 2008, from M. Michael Miller, AIA, agent for the applicant, requesting twelve months additional time to commence construction for this project (Attachment 4). The request was received prior to the date on which the approval would have expired; therefore, the special exception will not expire pending the Board's action on the request for additional time. The letter indicates that the request for additional time is being made to permit the applicant to prepare and submit an amendment to the Special Exception. The amendment to the special exception that is being sought is to permit the collocation of a common dietary facility to serve the Adult Care Residence (ACR) for patients with Alzheimer's disease and related disorders and the existing Leewood Healthcare Center. The current SE shows the ACR as a completely independent, stand-alone facility with its own dietary facilities. The proposed location of the new dietary facility will be in a proposed connection between the new ACR and the existing health care center. Mr. Miller references a letter dated November 29, 2007, from Regina Coyle, Director, ZED, which determined that the proposed changes were not in substantial conformance with the current SE approval. An application to amend SE 99-M-038 to incorporate the changed design has not yet been submitted; however, the applicant has indicated that it will be filed in the near future.

Staff has reviewed Special Exception SE 99-M-038 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to allow a medical care facility with assisted living and adult day care in the R-5 District. Further, staff knows of no change in land use circumstances that affect the compliance of SE 99-M-038 with the special exception standards applicable to this use and which would cause the filing of a new special exception application and review through the public hearing process to be necessary. The Comprehensive Plan recommendation for this site has not changed. Finally, the conditions associated with the Board's approval of SE 99-M-038 are still appropriate. Staff recommends that twelve months additional time be approved. This additional time would begin from the prior specified expiration date and would result in a new expiration date of October 30, 2009.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated May 23, 2001, to Elizabeth Baker, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors. Proffered conditions dated September 21, 2000

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Attachment 3: Letter dated November 21, 2003, to Elizabeth Baker, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors. Letter dated May 26, 2005, to Jane W. Gwinn, agent for the applicant, from Patti M. Hicks, Deputy Clerk to the Board of Supervisors. Letter dated December 8, 2006, to Elizabeth Baker, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors.

Attachment 4: Letter dated October 8, 2008, from M. Michael Miller, AIA, agent for the applicant, to Kevin Guinaw, Chief, Special Projects/Applications Management Branch, ZED

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Regina C. Coyle, Director, Zoning Evaluation Division (ZED), DPZ

Kevin Guinaw, Chief, Special Projects/Applications/Management Branch, ZED, DPZ

Fred Seldon, Director, Planning Division, DPZ

Mary Ann Godfrey, Senior Staff Coordinator, ZED, DPZ

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ADMINISTRATIVE - 5

Additional Time to Commence Construction for Special Exception Amendment SEA 84-D-086-5, The Langley School (Dranesville District)

ISSUE:

Board consideration of additional time to commence construction for SEA 84-D-086-5, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve nine months additional time for SEA 84-D-086-5 to July 20, 2009.

TIMING:

Routine.

BACKGROUND:

Under Section 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time period specified by the Board of Supervisors, an approved special exception shall automatically expire without notice, unless additional time is approved by the Board. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On October 20, 2003, the Board of Supervisors approved Special Exception Amendment SEA 84-D-086-5, subject to development conditions. The special exception application was filed in the name of The Langley School, previously approved for a private school of general education, to permit an increase in enrollment, building additions, a change in development conditions, and site modifications, pursuant to Section 3-304 and 9-301 of the Fairfax County Zoning Ordinance, on the property located at Tax Map 30-1 ((1)) 42A, 43 and 30-1 ((22)) 2A (see the Locator Map in Attachment 1). The development conditions for SEA 84-D-086-5 are included as part of the Clerk to the Board's letter in Attachment 2. The development conditions specified that the Special Exception Amendment would expire, without notice, three years (36 months) after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted, or unless the Board granted additional time. The conditions stated that the use shall be deemed established with the commencement of the Phase I of construction, which is called the Fine Arts Phase on the SEA Plat.

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On February 26, 2007, the Board of Supervisors approved twenty-four months additional time to commence construction to October 20, 2008. A copy of the Clerk to the Board's letter granting the additional time is contained in Attachment 3. The applicant had requested thirty-six months additional time. The additional time was requested because of funding limitations not foreseen at the time of the 2003 approval that had delayed the commencement of construction on the five buildings approved pursuant to SEA 84-D-086-5, which included an administration building, a library/cafeteria, a middle school, a primary school, and a fine arts center. The SEA Plat labeled all of the buildings as "Proposed," with the exception of the Fine Arts Center which was labeled "Previously submitted FFX County #4068-SP-04," because the site plan for the building had been submitted to the county for review. The site plan (#4068-SP-04) was approved on August 7, 2006. The September 13, 2006, letter stated that construction should commence on the Fine Arts Building in late spring, 2007.

On October 17, 2008, the Department of Planning and Zoning (DPZ) received a letter dated October 14, 2008, from Lori Greenlief, Agent for the Applicant, requesting nine months additional time to commence construction for this project (Attachment 4). The request was received prior to the date on which the approval would have expired; therefore, the special exception will not expire pending the Board's action on the request for additional time. The letter notes that an interpretation by Regina Coyle, Director, Zoning Evaluation Division, dated August 8, 2008, determined that commencement of construction of the parking lot together with the Fine Arts Center would establish the uses permitted by SEA 84-D-086-5 on the property. Other improvements that were approved with SEA 84-D-086-5 were increased enrollment, building additions, changes in development conditions, and site modifications. Ms. Greenlief states that the Fine Arts Center is now complete and a Non-Residential Use Permit (Non-RUP) has been issued. The Non-RUP was issued on September 12, 2008. The site plan revision for the modifications to the parking lot adjacent to the Fine Arts Center (4068-SPV-004-E-1) was approved on November 13, 2008. Construction of the parking lot will take approximately one month; however, according to a Memorandum from Lori Greenlief, dated December 12, 2008, (Attachment 4) in order to avoid construction of the parking lot during the academic school year, nine months additional time is requested.

Staff has reviewed Special Exception Amendment SEA 84-D-086-5 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to allow an increase in enrollment, building additions, a change in development conditions, and site modifications at a private school of general education in the R-3 District. Further, staff knows of no change in land use circumstances that affect the compliance of SEA 84-D-086-5 with the special exception standards applicable to this use and which would cause the filing of a new special exception application and review through the public hearing process to be necessary. The Comprehensive Plan recommendation for this site has not changed since the SEA was approved. The conditions associated with the Board's approval of SEA 84-D-086-5 are still appropriate. Staff believes that approval of the request for additional time is in the public interest and recommends that nine months of additional time be approved. This additional time would begin from the prior specified expiration date and would result in a new expiration date of July 20, 2009.

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FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated November 12, 2003, to Jonathan P. Rak, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors

Attachment 3: Letter dated March 5, 2007, to Lori Greenlief, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors

Attachment 4: Letter dated October 14, 2008, from Lori Greenlief, agent for the applicant, to Eileen McLane, Zoning Administrator, Department of Planning and Zoning. Memorandum dated December 12, 2008, from Lori Greenlief, agent for the applicant, to Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Regina C. Coyle, Director, Zoning Evaluation Division (ZED), DPZ

Kevin Guinaw, Chief, Special Projects Applications/Management Branch, ZED, DPZ

Fred Selden, Director, Planning Division, DPZ

Mary Ann Godfrey, Senior Staff Coordinator, ZED, DPZ

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ADMINISTRATIVE - 6

Additional Time to Commence Construction for Special Exception SE 2002-MA-019,
Campbell & Ferrara Nurseries, Inc. (Mason District)

ISSUE:

Board consideration of additional time to commence construction for SE 2002-MA-019, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve twenty-four months additional time for SE 2002-MA-019 to November 24, 2010.

TIMING:

Routine

BACKGROUND:

Under Section 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced and diligently prosecuted within the time period specified by the Board of Supervisors, an approved special exception shall automatically expire without notice unless additional time is approved by the Board. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On May 24, 2004, the Board of Supervisors approved Special Exception SE 2002-MA-019, subject to development conditions. The special exception application was filed in the name of Campbell and Ferrara Nurseries, Inc. to allow a plant nursery, pursuant to Section 3-204 of the Fairfax County Zoning Ordinance, on the property located at Tax Map 71-2 ((1)) 36 and 71-2 ((10)) 17A (see the Locator Map in Attachment 1). SE 2002-MA-019 was approved with a condition that the use be established or construction commenced and diligently prosecuted within thirty months of the approval date, unless the Board grants additional time. The expiration date would have been November 24, 2006. The development conditions are included as part of the Clerk to the Board's letter in Attachment 2.

On May 21, 2007, the Board of Supervisors approved twenty-four months additional time to commence construction for SE 2002-MA-019 until November 24, 2008. A copy of the Clerk to the Board's letter regarding the approval of additional time is contained in Attachment 3.

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On October 16, 2008, Department of Planning and Zoning (DPZ) received a letter dated October 10, 2008, from Donna P. Campbell and James M. Campbell, requesting twenty-four months additional time to commence construction for the project (see Attachment 4). The request was received prior to the date on which the approval would have expired; therefore, the special exception will not expire pending the Board's action on the request for additional time. The letter explains that a delay in the implementation of construction of the approved new buildings and a parking area has been caused by adverse economic conditions and that additional time is needed to secure funding for the improvements. During this time, according to the letter, and based on discussions in subsequent meetings with Mason District, the applicant will implement other improvements to the site, including recycling and relocation of the soil pile located at the back of the property. Zoning violations which occurred on the property in 2007 and 2008 have been resolved, with the latest resolution date of September 10, 2008.

Staff has reviewed Special Exception SE 2002-MA-019 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to allow a plant nursery. Further, staff knows of no change in land use circumstances that affect the compliance of SE 2002-MA-019 with the special exception standards applicable to this use or which should cause the filing of a new special exception application and review through the public hearing process. The Comprehensive Plan recommendation for this site has not changed since the SE was approved. Finally, the conditions associated with the Board's approval of SE 2002-MA-019 are still appropriate and remain in full force and effect. Staff believes that approval for the request for twenty-four months additional time is in the public interest and recommends that it be approved. This additional time would begin from the prior specified expiration date and would result in a new expiration date of November 24, 2010.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated June 24, 2004, to Stephen K. Fox, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors

Attachment 3: Letter dated May 21, 2007, to Stephen K. Fox, agent for the applicant, from Nancy Vehrs, Clerk to the Board of Supervisors

Attachment 4: Letter dated October 10, 2008, from Donna P. Campbell and James M. Campbell, requesting additional time

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January 26, 2009

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Regina C. Coyle, Director, Zoning Evaluation Division (ZED), DPZ

Kevin Guinaw, Chief, Special Projects Applications/Management Branch, ZED, DPZ

Pamela Nee, Chief, Environment and Development Review Branch, PD, DPZ

Carrie Lee, Staff Coordinator, ZED, DPZ

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ADMINISTRATIVE – 7

Streets into the Secondary System (Dranesville, Lee, Mason, and Springfield Districts)

ISSUE:

Board approval of streets to be accepted into the State Secondary System.

RECOMMENDATION:

The County Executive recommends that the street(s) listed below be added to the State Secondary System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Chalice Crest	Dranesville	Maddux Lane (Route 1956)
The Pond at Beach Mill	Dranesville	Beach Mill Road (Route 603) (Additional Right of Way (ROW) Only)
Gunnell Section One	Lee	Bush Hill Drive (Route 1455) Clouds Mill Drive Fort Ellsworth Court
Ellery Place	Mason	Hoffmans Lane (Route 7555)
Burke Lake Self Storage	Springfield	Little Ox Road (Route 8475) (Additional ROW Only)

TIMING:

Routine.

BACKGROUND:

Inspection has been made of these streets, and they are recommended for acceptance into the State Secondary System.

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FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1 - Street Acceptance Form

STAFF:
Robert A. Stalzer, Deputy County Executive
Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)
Howard J. Guba, Deputy Director, DPWES
James W. Patteson, Director, Land Development Services, DPWES

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ADMINISTRATIVE - 8

Approval of Correction for the Spelling of an Existing Street Name: Avacado Court to Avocado Court (Sully District)

ISSUE:

Board of Supervisors approval of a street name spelling correction in the Official Street Names, Property Numbering Atlas and the Master Addressing Repository for Avocado Court. Tax Map #054-3.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the street name spelling correction to Avocado Court effective 30 days following Board approval, in accordance with Section 102-1-9 of *The Code of the County of Fairfax, Virginia*.

TIMING:

Routine.

BACKGROUND:

The Home Owners Association and 51% of the owners of The Meadows Condominiums are requesting an existing street spelling correction. There was a spelling error on the approved record plat from 1950. The record plat was approved with the street name being spelled as Avacado Court. The owners would like the street name to reflect the proper spelling of Avocado Court. The Department of Public Works and Environmental Services policy requires that the owners representing more than 51 percent of the properties addressed on the subject street concur in a request to change the street name. This request is in conformance with all county codes and policies. Staff recommends approval of the street name spelling correction change to Avocado Court.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I – Vicinity Map

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STAFF:

Robert A. Stalzer, Deputy County Executive

Jimmie D Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

James Patteson, Director, Land Development Services, DPWES



ADMINISTRATIVE - 9

Authorization to Submit Grant Applications for Fiscal Year 2009 U.S. Department of Housing and Urban Development Discretionary Funding Competitions and the Fiscal Year 2008 Family Unification Program

ISSUE:

Board authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to apply for grants under the U.S. Department of Housing and Urban Development (HUD) Fiscal Year 2009 Discretionary Funding Competition. In the past, HUD has issued a Super Notice of Funding Availability (SuperNOFA) for these funding programs. This year, however, they will release the Notices of Funding Availability (NOFA) as each competition is approved for publication. The Department of Housing and Community Development (HCD) identified three grant applications for which it is requesting approval to apply from the FCRHA. In addition, HCD is requesting authorization to apply for funding under the Fiscal Year 2008 Family Unification Program. These grants are listed in a chart in the Background section of this item.

RECOMMENDATION:

The County Executive recommends that the Board authorize the FCRHA to apply for the Housing Choice Voucher Family Self-Sufficiency Coordinator, the Resident Opportunities Self-Sufficiency (ROSS) Service Coordinator, the Public Housing Family Self-Sufficiency Coordinator, and Family Unification Program.

BACKGROUND:

On November 24, 2008, HUD announced funding for the Fiscal Year 2008 Family Unification Program (FUP). This program provides incremental voucher assistance to provide adequate housing as a means to promote family unification. Vouchers are provided to families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child(ren) in out-of-home care; or the delay of discharge of the child(ren) to the family for out-of-home care; or to youths between 18 to 21 years who left foster care at age 16 or older and who do not have adequate housing. HCD currently has 160 vouchers from previous competitions. HUD has not held a competition for FUP vouchers since 2001.

HCD is working with the Fairfax County Department of Family Services and they have determined that there is currently a need for an additional 125 vouchers in the County and suggested that an application be made for 100 new vouchers, the maximum allowable award amount. A national lottery will be used by HUD to select the awardees.

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On December 29, 2008, HUD released its Policy Requirements and General Section to its Fiscal Year 2009 NOFA for Discretionary Programs. In the past, these were consolidated into a SuperNOFA, but this year they have decided to release each of the programs as the publications are approved so that the NOFAs are available earlier in the fiscal year. Details on each specific program are not yet available, but all of the programs that HCD is requesting approval for in this item have been applied for in Fiscal Year 2008. HCD has not learned if funding was approved in Fiscal Year 2008, which may impact any applications in Fiscal Year 2009. However, due to the unknown deadlines for these applications and their timing to FCRHA and Board of Supervisor's meetings, but having HUD's Policy Requirements and General Sections for the grants, HCD is requesting approval to apply for them.

Grant Name	Purpose	Maximum Grant Award
Family Unification Program	To provide Housing Choice Vouchers to families for whom adequate housing is the primary factor in the imminent placement of the family's child(ren) in out-of-home care; or the delay of discharge of the child(ren) to the family for out-of-home care; or to youths between 18 to 21 years who left foster care at age 16 or older and who do not have adequate housing.	100 Vouchers
Housing Choice Voucher Family Self-Sufficiency Coordinator Program	To provide funds to retain the services of a coordinator to increase the number of Housing Choice Voucher families participating in the Family Self-Sufficiency program.	Approximately \$66,000 (details for Fiscal Year 2009 have not been released)
Public and Indian Housing Family Self-Sufficiency Program Coordinators	To provide funds to retain services of a coordinator to improve efforts at helping Public Housing families achieve greater level of self-sufficiency.	Approximately \$68,000 (details for Fiscal Year 2009 have not been released)
Resident Opportunity and Self-Sufficiency Service Coordinator Program	To provide funds for two service coordinators and administrative staff over three years to link Public Housing residents to services aimed at helping residents achieve self-sufficiency.	Approximately \$480,000 (details for Fiscal Year 2009 have not been released) over three years

CREATION OF NEW POSITIONS:

The Public Housing and Housing Choice Voucher Family Self-Sufficiency grants are renewal programs and the current staffing plan will be maintained. Two grant-funded positions will need to be created for Service Coordinators if the Resident Opportunity and Self-Sufficiency Service Coordinator program is awarded. There is no staff impact for the Family Unification as the current staff will absorb the work needed to administer the program.

FISCAL IMPACT:

The FCRHA will be the recipient of the discretionary grants. If awarded, the Housing Choice Voucher Family Self-Sufficiency Coordinator Program funding and the Family Unification Program funding will be placed in Fund 966, Section 8 Annual Contribution and the Public Housing Family Self-Sufficiency program funding and Resident Opportunity and Self-Sufficiency Service Coordinator program funding will be placed in Fund 965, Housing Grants.

There is a 25 percent or more cash or in-kind match requirement for the Resident Opportunity and Self-Sufficiency Service Coordinator program. This match requirement will be met through in-kind contributions, HCD staff support and facility usage, as well as non-profit staff and volunteer hours. No cash match from the FCRHA or County will be required.

ENCLOSED DOCUMENTS:

Attachment 1: Executive Summary of Housing Choice Voucher Family Self-Sufficiency Coordinator Program

Attachment 2: Executive Summary of ROSS Service Coordinator Program

Attachment 3: Executive Summary of Public Housing Family Self-Sufficiency Coordinator Program

Attachment 4: Executive Summary of the Family Unification Program

STAFF:

Verdia Haywood, Deputy County Executive

Paula C. Sampson, Director, Department of Housing and Community Development (HCD)

John Payne, Deputy Director, Real Estate, HCD

Carol Erhard, Director, Housing Management Division, HCD

Elisa L. Johnson, Management Analyst III, HCD

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ADMINISTRATIVE – 10

Authorization to Submit an Application on Behalf of the Fairfax County Interagency Domestic Violence Work Group to the Office of the Attorney General Safe in Our Communities: Community Recognition for Promising Practices in Domestic Violence Response Program and Board of Supervisors Adoption of a Resolution Confirming the County's Application

ISSUE:

Board of Supervisors' authorization and endorsement of an application being submitted to the Office of the Attorney General through the Safe in Our Communities: Community Recognition for Promising Practices in Domestic Violence Response Program.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the following:

- Authorization for the Countywide Domestic Violence Coordinator, representing the Fairfax County Interagency Domestic Violence Work Group, to submit a public recognition application to the Program.
- Authorization for Fairfax County Board of Supervisors to issue a resolution confirming Fairfax County's application for recognition (which is a requirement of the application process).

TIMING:

Board action is needed on Monday, January 26, 2009, since the application deadline is Friday, January 30, 2009.

BACKGROUND:

In 2004, the Board of Supervisors authorized the establishment and assembly of the Fairfax County Domestic Violence Prevention, Policy and Coordinating Council (DVPPCC), an advisory group of high-level county officials and community leaders that provides oversight on a range of domestic violence policy, legislative and programmatic issues and guides the development of a comprehensive and collaborative response to domestic violence in Fairfax County. During that same year, the county hired Seema

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Zeya, as the Countywide Domestic Violence Coordinator to provide technical staff support to the DVPPCC.

In 2005, the DVPPCC initiated its work by authorizing the establishment of an Interagency Domestic Violence Work Group (DV Work Group) to formulate recommendations and undertake specific tasks for the DVPPCC to support the development of an effective community-wide system of intervention and prevention in Fairfax County that is responsive to the complex needs of families impacted by domestic violence. The DV Work Group, which is chaired by the Countywide Domestic Violence Coordinator, meets regularly on a monthly basis and has established the following objectives:

- Identify and prioritize gaps that need to be addressed in Fairfax County to enhance system and community-wide responses to domestic violence;
- Develop recommendations and/or proposed work plans for the DVPPCC that outline the action steps and specific tasks needed to close identified gaps;
- Provide ongoing input to the DVPPCC in connection with the need for new programs, enhancement of existing services, and/or linkages to improve Fairfax County's system and community-wide responses to domestic violence;
- Provide consultation, training, problem-solving assistance, and coordination to the DVPPCC on programs, services, policies, and emerging issues related to domestic violence;
- Establish ad hoc and or standing committees as may be necessary to carry out and implement DVPPCC action plans and specific tasks needed to strengthen Fairfax County's response to domestic violence; and
- Report regularly at DVPPCC bi-monthly meetings concerning new and existing programs, policies, emerging issues, and recommendations for future action steps and progress on implementation of work plans and specific tasks.

Since 2005, the DV Work Group has focused much of its efforts on strengthening the criminal and civil justice system's response to domestic violence. For example, the work group has identified the need for practitioner-specific and multi-disciplinary training for justice system personnel on a broad range of domestic violence-related issues. Toward this end, the work group has assembled a multi-disciplinary team of county and community-based providers/trainers who have designed and delivered domestic violence training programs for the DVPPCC, as well as for individual county and community-based agencies. The work group has further supported the establishment of new initiatives to enhance the response of our criminal and civil justice system, such as the Fairfax County Police Department's Domestic Violence Detective Program, the Domestic Violence Community-Based Court Advocacy Program, and the Fairfax County Domestic Violence Fatality Review Team.

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The Office of the Attorney General released application materials for the statewide public recognition program entitled the "Community Recognition Program for Promising Practices in Domestic Violence Response." The Program is a collaborative effort of the Office of the Attorney General with several state agencies and nonprofit organizations, including the Department of Criminal Justice Services, the Department of State Police, the Office of the Chief Medical Examiner, the Office of the Executive Secretary of the Supreme Court, the Virginia Poverty Law Center, and the Virginia Sexual and Domestic Violence Action Alliance. More specifically, the Program is designed to recognize localities throughout the Commonwealth that have instituted promising or innovative practices in responding to domestic violence in their respective communities. The Program also encourages localities to develop and implement policies and practices to enhance their community response to domestic violence issues.

To participate and be recognized by the Office of the Attorney General, eligible localities must meet 18 essential elements and at least five optional elements in their community response to domestic violence. The applicant locality must also designate a local coordinator representing an existing interagency domestic violence coordinating team as the contact person for the recognition process, and the Board of Supervisors or governing council of the locality must adopt a resolution confirming the locality's application for recognition by the Attorney General (see attached Draft Resolution). Lastly, the resolution must be included in the application packet and must be submitted to the Office of the Attorney General by Friday, January 30, 2009. There is no limit to the number of localities that may be recognized by the Program. Localities selected for recognition through the Program will be notified by the Office of the Attorney General in the spring of 2009.

FISCAL IMPACT:

There is no fiscal impact should Fairfax County be selected for statewide public recognition.

CREATION OF POSITIONS:

There will be no new positions created should Fairfax County be selected for recognition.

ENCLOSED DOCUMENTS:

Attachment I - Draft Board of Supervisors Resolution Confirming Fairfax County's Application for Community Recognition

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January 26, 2009

STAFF:

Verdia L. Haywood, Deputy County Executive

Kenneth P. Disselkoen, Director, Department of Systems Management for Human Services

Seema Zeya, Countywide Domestic Violence Coordinator, Department of Systems
Management for Human Services

Board Agenda Item
January 26, 2009

ACTION – 1

Approval of Resolutions to Abandon Part of the Right-of-Way of Lorton Road (Mount Vernon District)

ISSUE:

Board approval of resolutions to abandon part of the right-of-way of Lorton Road.

RECOMMENDATION:

The County Executive recommends that the Board approve the attached resolutions (Attachments II and III) for abandonment of the subject right-of-way.

TIMING:

The Board should act on this recommendation as soon as possible. The greater part of the right-of-way of Lorton Road was included in PCA 93-V-028-2 that was approved by the Board on November 17, 2008.

BACKGROUND:

The applicant, Lorton Corner Road LLC, is requesting that a portion of the right-of-way of Lorton Road near US Route 1 be abandoned. Lorton Road is in the Virginia Department of Transportation (VDOT) State Secondary System (Route 968).

The request is being made in conjunction with a modified commercial development per PCA 93-V-028-2 approved by the Board of Supervisors on November 17, 2008. The bulk of the abandoned right-of-way of Lorton Road will be incorporated into the development; it is not currently used for vehicle traffic. The applicant's abandonment proposal has been modified from its initial submittal to address VDOT concerns about residual and non-buildable right-of-way.

Traffic Circulation and Access

The abandonment will have no long-term impact on vehicle circulation and access. The subject right-of-way is not used for vehicle traffic as Lorton Road in this area has been realigned. The relocated Lorton Road (Route 642) serves the vehicle traffic. Pedestrian access will be maintained by a trail easement.

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Easements

Public easement needs have been identified by the Fairfax County Department of Transportation (trail), Department of Public Works and Environmental Services (sanitary and storm sewers), and Fairfax Water (distribution main). Dominion Virginia Power and Washington Gas have also identified facilities within the area to be abandoned. The applicants have provided easement plats, deeds, or agreements in forms acceptable to above agencies & companies. No other easement needs were identified.

This proposal to abandon this right-of-way was circulated to the following public agencies and utility companies for review: Office of the County Attorney, Department of Public Works and Environmental Services, Fairfax County Department of Transportation, Department of Planning and Zoning, Fairfax County Park Authority, Fairfax County Water Authority, Fairfax County School Board, Fire and Rescue Department, Virginia Department of Transportation, Dominion Virginia Power, Washington Gas Light Company, and Verizon. None of these indicate any opposition to the proposal.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I: Statement of Justification
Attachment II: Resolution of Abandonment (Outlot A)
Attachment III: Resolution of Abandonment (Outlot B)
Attachment IV: Abandonment Plat
Attachment V: Metes and Bounds Descriptions
Attachment VI: Vicinity Map

STAFF:

Robert A. Stalzer, Deputy County Executive
Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)
Michael A. Davis, FCDOT
Donald Stephens, FCDOT

Board Agenda Item
January 26, 2009



ACTION – 2

Renewal of the License Agreement Between Springfield United Methodist Church and the Fairfax County Board of Supervisors to Provide Commuter Parking Spaces (Lee District)

ISSUE:

Board approval to renew the license agreement between Springfield United Methodist Church (SUMC) and the Fairfax County Board of Supervisors to provide commuter parking spaces.

RECOMMENDATION:

The County Executive recommends that the Board approve the renewal of the license agreement between Springfield United Methodist Church and the Fairfax County Board of Supervisors to provide commuter parking spaces to encourage and support the use of carpools, vanpools, and public transportation. The County Executive also recommends that the Director of the Department of Transportation be authorized to execute the license agreement upon approval.

TIMING:

The Board should take action on this matter as soon as possible so that the commuter spaces are available to the public beginning March 1, 2009.

BACKGROUND:

The Springfield United Methodist Church has provided these spaces for several years. In a continuing effort to provide commuters with alternatives to driving, Springfield United Methodist Church will provide 56 spaces to Fairfax County to promote carpooling, ridesharing, and using transit as alternatives to reduce the traffic congestion in Fairfax County.

FISCAL IMPACT:

There is no payment requirement due with this license agreement; therefore, there will be no impact to the General Fund. Insurance coverage will be maintained by the County with the Springfield United Methodist Church listed under a Commercial General Liability policy. This insurance coverage can be accommodated within the County's current insurance coverage at no additional cost to the County.

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ENCLOSED DOCUMENTS:

Attachment I: License Agreement between Springfield United Methodist Church and the Fairfax County Board of Supervisors (Separate from Package for Board Members Only)

STAFF:

Robert A. Stalzer, Deputy County Executive

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)

Rollo Axton, Division Chief, Transit Services Division, FCDOT

Karen Payne, FCDOT

Board Agenda Item
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ACTION – 3

Adoption of a Resolution Confirming the Declaration of Local Emergency (Presidential Inauguration) and Consenting to all Actions Taken By the Director of Emergency Management and County Staff

ISSUE:

Board of Supervisors adoption of a Resolution that:

- 1) Confirms the Declaration of Local Emergency (Presidential Inauguration) dated January 16, 2009; and
- 2) Approves and consents to all actions taken by the Director of Emergency Management and County staff pursuant to the Declaration of Local Emergency and the Fairfax County Emergency Operations Plan.

TIMING:

Board action is requested on January 26, 2009, which is the next regularly scheduled meeting of the Board following the Declaration of Local Emergency by the County Executive, in his capacity as the Director of Emergency Management.

BACKGROUND:

Because the circumstances associated with the Presidential Inauguration, including the unprecedented numbers of people traveling through Fairfax County prior to and after the event, the threat of unpredictable winter weather, and the significant national security implications of the events happening in and around Fairfax County, created the potential of an emergency that threatened to be of sufficient severity and magnitude to warrant coordinated local government action, the County Executive, in his capacity as the Director of Emergency Management, signed a Declaration of a Local Emergency on January 16, 2009. The Declaration, which took effect on January 17, 2009, officially activated the County's Emergency Operations Plan and authorized the furnishing of aid and assistance under the Plan in order to prevent or alleviate the damage and loss threatened by the event. By its terms, the declaration was scheduled to expire at midnight on January 21, 2009, unless extended by the County Executive. The County Executive did not extend the declaration.

The Commonwealth of Virginia Emergency Services and Disaster Law of 2000, (Title 44, Chapter 3.2 of the Virginia Code) authorizes the Director of Emergency Management to declare the existence of a local emergency when the governing body

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cannot convene, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration, whichever occurs first. Va. Code Ann. § 44-146.21(a). As January 26, 2009, is the Board's next regularly scheduled meeting following the Declaration of a Local Emergency, the Board is requested to adopt a Resolution (attachment 1) to confirm the Declaration of Local Emergency and to approve and consent to all actions taken by the Director of Emergency Management and County staff pursuant to the declaration and the Fairfax County Emergency Operations Plan.

FISCAL IMPACT:

The Declaration of a Local Emergency by the governing body is necessary for the County to seek reimbursement for eligible emergency protective measures should such funds become available.

ENCLOSED DOCUMENTS:

Attachment 1 - Resolution

Attachment 2 - Declaration of a Local Emergency dated January 16, 2009

STAFF:

Anthony H. Griffin, County Executive

Board Agenda Item
January 26, 2009



INFORMATION - 1

Annual Report on the Board's Four-Year Transportation Program and Other Active Transportation Projects

On October 15, 2007, the Board of Supervisors approved their Second Four-Year Transportation Program for FY 2008 through FY 2011. Supported by the \$110 million Transportation Bond approved by voters in November 2007, the Second Four-Year Plan is multi-modal and includes projects for major roadways, pedestrian and spot improvements, and transit. The Plan also includes innovative project design and delivery and programs designed to serve special populations. In addition to the 2007 Transportation Bond Projects, the Second Four-Year Plan also includes a number of projects funded through partnerships with State, Federal, and Regional agencies. The Second Four-Year Transportation Plan is designed to enhance mobility, promote safety, and create choices for the commuting public. The Plan seeks to follow an ambitious schedule to implement these projects and programs within a four-year timeframe.

Enclosed is an annual status report on the Board's Four-Year Transportation Program and other active transportation projects. This report has been compiled by Fairfax County Department of Transportation (FCDOT) staff in consultation with their implementation partners in the Department of Public Works and Environmental Services (DPWES) and the Virginia Department of Transportation (VDOT) Northern Virginia District. Note that the information included in this report is current as of December 2008; however, it may be affected by funding decisions anticipated in early 2009.

The information provided in the attached December 2008 report is an update to the September 2008 quarterly status report which was provided to the Board on October 20, 2008. The December 2008 report also includes the annual update of non-capital strategies and other transportation projects.

Staff provides a status update every quarter for the Four-Year Program, and an annual report in the winter on all active transportation projects. The status reports are posted on the FCDOT web site following the Board's review.

ENCLOSED DOCUMENTS:

Attachment 1: December 2008 Status Report on the Fairfax County Board of Supervisors' Four-Year Transportation Program for FY 2008 through FY 2011 and Other Active Transportation Projects

Board Agenda Item
January 26, 2009

STAFF:

Robert A. Stalzer, Deputy County Executive

Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

Katharine D. Ichter, Director, Department of Transportation (FCDOT)

Ellen Gallagher, Chief, Capital Projects and Operations Division, FCDOT

Karyn L. Moreland, Chief, Capital Projects Section, FCDOT

Brent Payne, Capital Projects Section, FCDOT

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10:30 a.m.

Matters Presented by Board Members

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11:20 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
 - (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
 - (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
-
- 1. *Robert D. Scrimshaw v. Russell J. Munyan, Jr., Property Maintenance/Senior Zoning Inspector, and Kevin C. Greenlief, Director, Department of Tax Administration, Case No. CL-2008-0015232 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
 - 2. *Advanced Towing Company, LLC, Roadrunner Wrecker Service, Inc., and King's Towing, Inc. v. Fairfax County Board of Supervisors, Case No. CL-2008-0011827 (Fx. Co. Cir. Ct.)*
 - 3. *Fairfax County Redevelopment and Housing Authority v. Yar Mella, Alexis Ujueta, Larry Rice, Trustee, Michelle Slattery, Trustee, First Horizon Home Loan Corporation, Mortgage Electronic Registration Systems, Inc., and First Horizon Bank, Case No. CL-2007-0007611 (Fx. Co. Cir. Ct.) (Hunter Mill District)*
 - 4. *Eileen M. McLane, Fairfax County Zoning Administrator v. Scott W. Pruitt and Paula E. Pruitt, Case No. CL-2008-0001802 (Fx. Co. Cir. Ct.) (Sully District)*
 - 5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lucia O. Palacio, Case No. CL-2008-0005849 (Fx. Co. Cir. Ct.) (Providence District)*

6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Guy Kreiser, Josefina Kreiser, and Joanne S. Kreiser*, Case No. CL-2008-0008940 (Fx. Co. Cir. Ct.) (Mount Vernon District)
7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Arturo Castellon*, Case No. CL-2008-0004426 (Fx. Co. Cir. Ct.) (Springfield District)
8. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Corinne B. Boals*, Case No. CL-2008-0011677 (Fx. Co. Cir. Ct.) (Dranesville District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juan Carlos Romero and Martha L. Santay*, Case No. CL-2008-0013623 (Fx. Co. Cir. Ct.) (Lee District)
10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Huntington National Bank*, Case No. CL-2008-0011750 (Fx. Co. Cir. Ct.) (Springfield District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ana Hernandez and Jose A. Hernandez*, Case No. CL-2008-0016868 (Fx. Co. Cir. Ct.) (Mount Vernon District) (Strike Team Case)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Delzi Borba, Mario Borba, and Jose J. Gonzalez*, Case No. CL-2008-0016867 (Fx. Co. Cir. Ct.) (Lee District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vladimir Altamirano and Sandra Altamirano*, Case No. CL-2008-0016938 (Fx. Co. Cir. Ct.) (Providence District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Prospect at Evergreen, LLC*, Case No. CL-2008-0016977 (Fx. Co. Cir. Ct.) (Mason District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Savon Ok, Yeng Skam, and Makaravee Ok*, Case No. CL-2008-0016940 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)

16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sergio E. Ayala and Laura Sanchez*, Case No. CL-2008-0016939 (Fx. Co. Cir. Ct.) (Lee District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. William S. French, III, and Ann R. French*, Case No. CL-2008-0016979 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rodney C. Smith and Pamela W. Smith*, Case No. CL-2008-0016978 (Fx. Co. Cir. Ct.) (Mount Vernon District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. W. Martin Eakes and Helen A. Eakes*, Case No. CL-2008-0016980 (Fx. Co. Cir. Ct.) (Mason District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marco A. Guzman and Cinthia L. Guzman*, Case No. 08-0030691 (Fx. Co. Gen. Dist. Ct.) (Providence District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilge Navor Andrade, Liliana Andrea Andrade, and Ronal Juan Andrade*, Case No. 08-0033941 (Fx. Co. Gen. Dist. Ct.) (Mason District)

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Board Agenda Item
January 26, 2009

3:00 p.m.

Annual Meeting of the Fairfax County Solid Waste Authority

ISSUE:

Fairfax County Solid Waste Authority annual meeting.

RECOMMENDATION:

The County Executive recommends that the Fairfax County Solid Waste Authority hold its annual meeting in accordance with the Bylaws for the Authority; appoint officers; approve the minutes of the December 3, 2007, and January 28, 2008, meetings; and approve the financial statements.

TIMING:

Immediate. The Bylaws of the Fairfax County Solid Waste Authority require the annual meeting to coincide with the time for the last regular meeting of the Board of Supervisors set in January.

BACKGROUND:

According to the Bylaws of the Fairfax County Solid Waste Authority, the regular annual meeting of the Authority shall coincide with the time for the last regular meeting of the Board of Supervisors set in January. The proposed agenda of the Authority meeting is included as Attachment I. The Bylaws further require a review and approval of the minutes of the previous year's meetings (Attachments II and III) and that officers of the authority be appointed to serve for a one-year term.

During FY 2008, the I-95 Energy/Resource Recovery Facility (E/RRF) processed 1,032,401 tons of municipal solid waste, 11.1% above the Guaranteed Annual Tonnage (GAT) of 930,750 tons required by the Service Agreement with Covanta Fairfax, Inc. (Covanta), owner and operator of the facility. County waste delivered to the facility totaled 917,500 tons. This was below the GAT level for the first time in three years. The additional waste needed to meet/and in fact far exceed GAT primarily came from Prince William County. A five-year Agreement with the District of Columbia to bring additional waste to the facility has also been implemented.

The June 2008 stack test documented emissions from the E/RRF that were well below regulatory and permit limits established by the U.S. Environmental Protection Agency

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(EPA) and the Virginia Department of Environmental Quality. This year Covanta was certified as a Virginia Environmental Excellence Enterprise Program (E3) and recently received the Virginia Department of Labor and Industry's voluntary protection program "Star" award for workplace safety and health excellence.

Covanta is current in paying the construction bonds. Other financial information is contained in the Financial Statements (Attachment IV).

The Service Agreement and extension continue until 2016.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:

Attachment I – Fairfax County Solid Waste Authority Meeting Agenda, January 26, 2009

Attachment II – Minutes of the January 28, 2008, Solid Waste Authority Meeting

Attachment III – Minutes of the December 3, 2007, Solid Waste Authority Special Meeting

Attachment IV – Financial Statements and Supplemental Information

STAFF:

Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

Joyce M. Doughty, Director, Division of Solid Waste Disposal and Resource Recovery

Board Agenda Item
January 26, 2009

3:30 p.m.

Public Hearing on PCA 78-S-063-06 (The Aerospace Corporation) to Amend the Proffers for RZ 78-S-063 Previously Approved for Office to Permit Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 0.50, Located on Approximately 40.41 Acres Zoned I-3 and WS, Sully District

and

Public Hearing on SE 2008-SU-026 (The Aerospace Corporation) to Permit an Increase in Building Height from 75.0 feet up to a Maximum of 165.0 feet, Located on Approximately 40.41 Acres Zoned I-3 and WS, Sully District

The application property is located in the northeast quadrant of the intersection of Stonecroft Boulevard and Lee Road at 4801 Stonecroft Boulevard, Tax Map 44-1 ((4)) 35.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 15, 2009, the Planning Commission voted 8-3-1 (Commissioners Alcorn, Hart, and Lawrence opposed; Commissioner Harsel absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 78-S-063-06, subject to the execution of proffers consistent with those dated January 13, 2009; and
- Approval of SE 2008-SU-026, subject to the Development Conditions dated December 31, 2008 and subject also to the Board's approval of PCA 78-S-063-06.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William O'Donnell, Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
January 26, 2009

4:00 p.m.

Public Hearing on Proposed Comprehensive Plan Amendment S07-CW-5CP Regarding Revisions to the Comprehensive Plan to Update Information on Heritage Resources

ISSUE:

Plan Amendment S07-CW-5CP proposes amending the information on heritage resources in the Area Plan volumes of the Comprehensive Plan. The proposed plan amendment would update information in the County's Inventory of Historic Sites tables, add maps locating the historic sites, revise text where new research has uncovered more accurate information on sites, revise the language in the Heritage Resources sections of the Planning Districts and Community Planning Sectors to reflect the objectives and policies stipulated in the Heritage Resources section of the Policy Plan, make changes to site names to reconcile naming inconsistencies by using the site naming convention of the National Register of Historic Places, restore the definition of heritage resources to the Plan glossary, and update the text describing historic overlay districts in the Heritage Resources sections of the Planning Sectors by citing the applicable section of the Zoning Ordinance for each district.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on November 20, 2008, and the Commission deferred decision to December 4, 2008, in order to consider public testimony and comments.

On Thursday, December 4, 2008, the Planning Commission voted unanimously (Commissioner Lusk absent from the meeting) to recommend that the Board of Supervisors adopt the staff recommendation, with the revisions identified by the Planning Commission in their attached handout dated December 4, 2008.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the staff recommendation as shown on pages 4 through 181 in the Staff Report dated November 3, 2008 with revisions as identified in the Planning Commission Mark-Up in Attachment 3. The recommendation would update the Comprehensive Plan to provide the most accurate and current information on the County's heritage resources.

TIMING:

Planning Commission public hearing – November 20, 2008

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Planning Commission decision – December 4, 2008
Board of Supervisors public hearing – January 26, 2009

BACKGROUND:

On November 19, 2007, the Board of Supervisors authorized the proposed countywide heritage resources plan amendment at the request of the History Commission. Although the Heritage Resources section of the Policy Plan was updated in 2002, the heritage resources information in the Area Plan volumes of the Comprehensive Plan was last updated in 1994. Since that time numerous properties have been added to and removed from the Fairfax County Inventory of Historic Sites, which is maintained by the Fairfax County History Commission. Some sites have been demolished, and new research has uncovered more accurate information on other sites. Additionally, editorial changes are necessary to reflect current terminology.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1 – Staff Report for Proposed Comprehensive Plan Amendment S07-CW-5CP (Separate from package)

Attachment 2 – Planning Commission Verbatim

Attachment 3 – Planning Commission Recommendation

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Fred R. Selden, Director, Planning Division (PD), DPZ

Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ

Linda Cornish Blank, Historic Preservation Planner, Policy and Plan Development Branch, PD, DPZ

Laurie Turkawski, Historian I, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item
January 26, 2009

5:00 p.m.

Public Hearing on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Item 08-IV-9MV, Located South of Huntington Avenue, East of Biscayne Drive, North of Glendale Terrace, and West of Blaine Drive (Mount Vernon District)

ISSUE:

Base Realignment and Closure (BRAC) Area Plans Review (APR) nomination 08-IV-9MV proposes to amend the Comprehensive Plan guidance for Tax Map parcels 83-1((8))ALL and 83-1((20))ALL. The nomination proposes to add an option for mixed use up to 3.0 FAR with residential, office and ground-floor retail uses. The area is currently planned for residential use at 16-20 dwelling units per acre (du/ac) and neighborhood-serving retail use, and is within the Huntington Neighborhood Conservation Area. The staff analysis and recommendation are found in the Staff Report, Attachment I. The BRAC APR Task Force recommendation is found in Attachment II. The Task Force recommended an alternative for residential and office mixed use up to 1.0 FAR, or up to 2.0 FAR with logical and substantial consolidation of the block.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 10, 2008, the Planning Commission voted unanimously (Commissioners Donahue, Hall, and Litzenberger absent from the meeting) to recommend approval of the nomination for mixed use up to 3.0 FAR, with a height limit of 120 feet along Huntington Avenue, and 40 feet along Glendale Terrace. The Planning Commission conditioned its approval on the future approval of an amendment to the Huntington Neighborhood Conservation Plan. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors defer BRAC APR item 08-IV-9MV to allow for the consideration of proposed amendments to the Huntington Conservation Plan, as shown in the Staff Report, Attachment I. The Department of Housing and Community Development is currently reviewing amendments approved by the Huntington Community Association. In January, the Redevelopment and Housing Authority (RHA) intends to authorize a public hearing on the amendments. If approved by the RHA following the public hearing in March, the amendments would then be scheduled for public hearings before the Planning Commission and Board of Supervisors. Following a decision on the Conservation Plan

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amendments by the Board of Supervisors, item 08-IV-9MV could be scheduled for a new public hearing before the Planning Commission and Board of Supervisors.

TIMING:

Planning Commission public hearing- November 5, 2008
Planning Commission mark-up session- December 10, 2008
Board of Supervisors' public hearing- January 26, 2009

BACKGROUND:

In 2007, the Board of Supervisors authorized a special APR process to review and evaluate recommendations contained in the Comprehensive Plan for activity centers in the southern part of the County that could be impacted by the relocation of Department of Defense jobs to Fort Belvoir as a result of BRAC decisions.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for BRAC APR item 08-IV-9MV
Attachment II: BRAC APR Task Force Report for BRAC APR item 08-IV-9MV
Attachment III: Planning Commission Verbatim
Attachment IV: Plan Text Recommended by the Planning Commission, December 10, 2008

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)
Fred R. Selden, Director, Planning Division (PD), DPZ
Marianne R. Gardner, Chief, Policy and Plan Development Branch, PD, DPZ
Lindsay A. Mason, Planner III, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item
January 26, 2009

5:00 p.m.

Public Hearings on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Items 08-IV-10MV, 08-IV-11MV, 08-IV-12MV and 08-IV-13MV, Located on Richmond Highway in the Woodlawn Community Business Center (CBC) (Mount Vernon District)

ISSUE:

The Base Realignment and Closure (BRAC) Area Plans Review (APR) nominations propose to amend the Comprehensive Plan guidance for Land Units A-2, A-3, B-1, and B-2 of the Woodlawn CBC. Nomination 08-IV-10MV addresses Land Unit B-2 proposes to modify the option to remove residential use as a component of a mixed use development and add development conditions, while maintaining the intensity up to .50 FAR. Plan text allowing residential use at 2-3 du/ac for parcels 110-1((15))(A) 2 and 3 would be added to reflect current zoning and existing uses. The current Plan option for residential use at 4-5 du/ac would be retained for parcels 101-3 ((1)) 100, 110-1 ((1)) 2, 51 and 52.

Nomination 08-IV-11MV proposes to add an option for mixed use up to .65 FAR with office, retail and/or hotel uses with conditions, including substantial consolidation.

Nomination 08-IV-12MV proposes to increase the base intensity for retail use from .35 FAR to .50 FAR and add an option for mixed use up to 1.5 FAR with office, retail and hotel uses if several conditions are met.

Nomination 08-IV-13MV proposes to add an option for mixed use up to .70 FAR (primarily office, with retail and/or hotel uses) with conditions, including substantial consolidation.

The staff analysis and recommendation are found in the Staff Report, Attachment I. The BRAC APR Task Force recommendation is found in Attachment II. Staff and the Task Force recommended retaining residential use as a component of the mixed use option for Sub-Unit B-2 (08-IV-10MV), and adding conditions to support the realignment of Sacramento Drive with Cooper Road to each of the nominations. Both also recommended a condition related to the provision of the planned transit station site in Sub-unit A-3.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 10, 2008, the Planning Commission voted unanimously (Commissioners Donahue, Hall, and Litzenberger absent from the meeting) to

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recommend approval of the nominations, as modified by the Task Force and Staff. The Planning Commission verbatims are found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation for BRAC APR items 08-IV-10MV, 08-IV-11MV, 08-IV-12MV and 08-IV-13MV, which reflects the recommendations of Staff and the BRAC APR Task Force.

TIMING:

Planning Commission public hearing- November 5, 2008
Planning Commission mark-up session- December 10, 2008
Board of Supervisors' public hearing- January 26, 2009

BACKGROUND:

In 2007, the Board of Supervisors authorized a special APR process to review and evaluate recommendations contained in the Comprehensive Plan for activity centers in the southern part of the County that could be impacted by the relocation of Department of Defense jobs to Fort Belvoir as a result of BRAC decisions.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for BRAC APR items 08-IV-10MV, 08-IV-11MV, 08-IV-12MV and 08-IV-13MV
Attachment II: BRAC APR Task Force Report for BRAC APR items 08-IV-10MV, 08-IV-11MV, 08-IV-12MV and 08-IV-13MV
Attachment III: Planning Commission Verbatims
Attachment IV: Plan Text Recommended by the Planning Commission, December 10, 2008

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)
Fred R. Selden, Director, Planning Division (PD), DPZ
Marianne R. Gardner, Chief, Policy and Plan Development Branch, PD, DPZ
Lindsay A. Mason, Planner III, Policy and Plan Development Branch, PD, DPZ

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5:00 p.m.

Public Hearing on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Item 08-IV-8FS, Located North of Commerce Street, East of Brandon Avenue, West of Augusta Drive (Lee District)

ISSUE:

Base Realignment and Closure (BRAC) Area Plans Review (APR) nomination 08-IV-8FS proposes to amend the Comprehensive Plan guidance for Tax Map Parcels 80-4 ((1)) 5C1 and 5C2. The original nomination proposed the 4.34-acre subject area be replanned to allow an office building with accessory retail uses and the expansion of the existing hotel use at up to an intensity of 2.0 FAR. In a letter, dated August 11, 2008, the nominator asked the Task Force to consider a reduced amount of office use, and that this development be limited to Tax Map Parcel 80-4 ((1)) 5C2.

The subject area is currently planned as part of the non-core area of Land Unit A, which extends to Old Keene Mill Road to the south; Augusta Drive to the east; the Springfield subdivision to the north; and Amherst Avenue to the west. The 56-acre Land Unit A is planned for a total of two million square feet of office, retail, and hotel mixed-use and 800 dwelling units, based on achievement of conditions related to consolidation, integration of uses, urban design, coordination of development, and access. The staff analysis and recommendation are found in the Staff Report, Attachment I. The BRAC APR Task Force recommendation is found in Attachment II. The Task Force recommended the approval of a Task Force alternative to reduce intensity to the level offered by the nominator, but added conditions relating to building height and the inclusion of retail use.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 10, 2008, the Planning Commission voted unanimously (Commissioners Donahue, Hall, and Litzenberger absent from the meeting) to approve the nomination for office use up to 125,000 square feet (SF) on Tax Map Parcel 80-4 ((1)) 5C2, with height limitation up to 160-feet, access to Brandon Avenue and Augusta Drive and other amenities, such as a open space. The Planning Commission action would also expand the core area of Land Unit A to include the subject area to be consistent with Comprehensive Plan guidance that the highest intensities be focused within a central node. The Commission's recommendation incorporates both the Task Force and staff recommendations. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

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RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission proposed text as shown in Attachment IV.

TIMING:

Planning Commission public hearing- November 5, 2008
Planning Commission mark-up session- December 10, 2008
Board of Supervisors' public hearing- January 26, 2009

BACKGROUND:

In 2007, the Board of Supervisors authorized a special APR process to review and evaluate recommendations contained in the Comprehensive Plan for activity centers in the southern part of the County that could be impacted by the relocation of Department of Defense jobs to Fort Belvoir as a result of BRAC decisions.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for BRAC APR item 08-IV-8FS
Attachment II: BRAC APR Task Force Report for BRAC APR item 08-IV-8FS
Attachment III: Planning Commission Verbatim
Attachment IV: Plan Text Recommended by the Planning Commission for 08-IV-8FS

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)
Fred R. Selden, Director, Planning Division (PD), DPZ
Marianne R. Gardner, Chief, Policy and Plan Development Branch, PD, DPZ
Meghan D. Van Dam, Planner III, Policy and Plan Development Branch, PD, DPZ

Board Agenda Item
January 26, 2009

5:00 p.m.

Public Hearing on Proposed Base Realignment and Closure (BRAC) Area Plans Review (APR) Item 08-IV-11FS, Located on the North-side of Commerce Street, Between Old Keene Mill Road and Backlick Road (Lee District)

ISSUE:

Base Realignment and Closure (BRAC) Area Plans Review (APR) nomination 08-IV-11FS proposes to amend the Comprehensive Plan guidance for Tax Map Parcels 80-3 ((1)) 3, 7 and 80-4 ((4)) (3) 7. The nomination proposes to replan the subject area for residential use at a density of 40-50 dwelling units per acre (du/ac) or 600 units with ground-floor retail use up to 10,000 square feet (sq.ft.). The nominator offered to limit residential density to 550 units or 45 du/ac at a BRAC Task Force meeting on July 28, 2008.

The majority of the subject property is located within Land Unit B of the Springfield Community Business Center (CBC). This portion is planned for multi-family residential use at a density up to 30 dwelling units per acre (du/ac). Tax Map Parcel 80-4 ((4)) (3) 7 is located within the non-core area of Land Unit A of the CBC. The Comprehensive Plan map shows this parcel planned for residential use at 16-20 du/ac. In total, Land Unit A is planned for a total of two million square feet of office, retail, and hotel mixed-use and 800 dwelling units, based on achievement of conditions including consolidation, use integration, design, and transportation. The staff analysis and recommendation are found in the Staff Report, Attachment I. The BRAC APR Task Force recommendation is found in Attachment II. The Task Force recommended the approval of a Task Force alternative that reflects the July 28 revision to the nomination. The Task Force also supported conditions relating to building height, screening, and encouraging below-grade parking to the extent possible.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 10, 2008, the Planning Commission voted unanimously (Commissioners Donahue, Hall, and Litzenberger absent from the meeting) to approve the nomination as supported by the Task Force, for residential use at a density up to 45 du/ac with conditions related to design, orientation, access, and the inclusion of ancillary retail use. The Planning Commission also recommended an editorial update, which would remove the Plan recommendation for the subject area as residential use at a density of 16-20 du/ac in the S2 Crestwood Planning District, as it was superseded by Plan amendment S98-CW-1CP (B), adopted in May 20, 2002. The Planning Commission verbatim for this item is found in Attachment III. The proposed Plan text recommended by the Planning Commission is found in Attachment IV.

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RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission proposed text as shown in Attachment IV with editorial revisions to reflect the inclusion of all of the subject area in Land Unit B. These revisions are shown as Attachment V

TIMING:

Planning Commission public hearing- November 5, 2008
Planning Commission mark-up session- December 10, 2008
Board of Supervisors' public hearing- January 26, 2009

BACKGROUND:

In 2007, the Board of Supervisors authorized a special APR process to review and evaluate recommendations contained in the Comprehensive Plan for activity centers in the southern part of the County that could be impacted by the relocation of Department of Defense jobs to Fort Belvoir as a result of BRAC decisions.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment I: Staff Report for BRAC APR item 08-IV-11FS
Attachment II: BRAC APR Task Force Report for BRAC APR item 08-IV-11FS
Attachment III: Planning Commission Verbatim
Attachment IV: Plan Text Recommended by the Planning Commission for 08-IV-11FS
Attachment V: Editorial Amendments to Planning Commission Recommendation for BRAC APR Item 08-IV-11FS

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)
Fred R. Selden, Director, Planning Division (PD), DPZ
Marianne R. Gardner, Chief, Policy and Plan Development Branch, PD, DPZ
Meghan D. Van Dam, Planner III, Policy and Plan Development Branch, PD, DPZ